

UNOFFICIAL VERSION

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THURSDAY, APRIL 25, 2019

THIRTY-FIRST LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor Bill Houck of Northstar Baptist Church in Bristol, Tennessee, a guest of Senator Lundberg.

PLEDGE OF ALLEGIANCE

Senator Lundberg led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Lundberg led the Senate in the Salute to the Flag of Tennessee.

**REPORT OF THE SECRETARY OF STATE
ELECTION RESULTS FOR SENATE SEAT 22**

The report was received and filed with the Clerk.

OATH OF OFFICE OF SENATOR ELECT

The Speaker declared that Mr. Bill Powers, having been duly elected and qualified, was hereby officially seated representing the 22nd Senatorial District. The Honorable Jeffrey S. Bivins, Chief Justice of the Tennessee Supreme Court, properly administered the oath of office on April 25, 2019.

Twenty-Second Senatorial District -- Bill Powers, representing Houston, Montgomery and Stewart Counties.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORT

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 16 with amendment, 63, 205, 215, 302 with amendment, 403 with amendment, 474, 513, 578, 649 with amendment, 727, 806, 886, 976, 1094, 1103, 1161 with amendment, 1163, 1268 and 1361 with amendment; and Senate Joint Resolutions Nos. 469 and 525.

WATSON, Chairperson
April 24, 2019

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The Speaker announced that he had referred Senate Bills Nos. 16 with amendment, 63, 205, 215, 302 with amendment, 403 with amendment, 474, 513, 578, 649 with amendment, 727, 806, 886, 976, 1094, 1103, 1161 with amendment, 1163, 1268 and 1361 with amendment; and Senate Joint Resolutions Nos. 469 and 525 to the Committee on Calendar.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 1551** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced the following bill was filed for introduction and passed first consideration:

Senate Bill No. 1551 by Senator Roberts.

Dickson -- Subject to local approval, creates a municipal court. Amends Chapter 274 of the Private Acts of 1924; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 1, 129, 207, 624, 1512, 1527, 1529, 1530, 1531, 1532, 1534, 1535, 1537, 1538, 1539, 1540 and 1541** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 1 -- Gambling -- As introduced, authorizes sports betting in this state only in jurisdictions that approve sports betting by local option election; imposes a 10 percent tax on gaming revenue; distributes 40 percent of the tax to the general fund for general appropriations, 30 percent to Tennessee colleges of applied technologies and community colleges for equipment and capital projects, and 30 percent to local governments for education and infrastructure; establishes the Tennessee gaming commission to regulate sports betting; authorizes the commission to collaborate with the Tennessee bureau of investigation for purposes of enforcement. Amends TCA Title 4; Title 14; Title 38; Title 39, Chapter 17, Part 5; Title 47, Chapter 18; Title 49 and Title 67.

House Bill No. 129 -- State Inmates -- As introduced, requires custodians of women prisoners to provide feminine hygiene products, moisturizing soap that is not lye-based, toothbrushes and toothpaste, and any other healthcare product a custodian deems appropriate to women prisoners at no charge and in an appropriate quantity. Amends TCA Title 41.

House Bill No. 207 -- Local Education Agencies -- As introduced, makes various changes to the process required for an LEA to sell surplus property. Amends TCA Title 49, Chapter 6, Part 20.

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House Bill No. 624 -- Sexual Offenders -- As introduced, makes an offender sentenced pursuant to judicial diversion eligible for removal from the sex offender registry upon completion of judicial diversion. Amends TCA Title 40, Chapter 35 and Title 40, Chapter 39.

House Bill No. 1512 -- Cleveland -- Subject to local approval, authorizes a nonresident owner of real property located within the city that has an appraised value for tax purposes of at least \$35,000 to vote in city elections. Amends Chapter 78 of the Private Acts of 1993; as amended.

House Bill No. 1527 -- Millington -- Subject to local approval, changes the municipal judge from an elected to appointed position; requires all persons employed by the city to take an oath of office; requires the board to establish, by resolution, which city officials are authorized to sign checks on the city's behalf. Amends Chapter 58 of the Private Acts of 2012; as amended.

House Bill No. 1529 -- Jackson -- Subject to local approval, adds age and residency requirements to be eligible to run for mayor and city council; changes the voting requirement for filling vacancies for the city council; requires the city to obtain a fidelity bond for the mayor and treasurer; changes the due date for payment of taxes levied by the city to October 1 through December 31 of each year; requires certain ordinances to be published on the city's website. Amends Chapter 101 of the Private Acts of 1993; as amended.

House Bill No. 1530 -- Baxter -- Subject to local approval, rewrites the charter. Amends Chapter 35 of the Private Acts of 1915; as amended.

House Bill No. 1531 -- Portland -- Subject to local approval, transfers the duty to collect taxes from the recorder to the finance director; eliminates certain other duties of the recorder; requires the city council to fix the compensation and duties of all officers and employees of the city, consistent with the charter and general law. Amends Chapter 568 of the Private Acts of 1939; as amended.

House Bill No. 1532 -- Lebanon -- Subject to local approval, deletes reference to property interest for municipal employees. Amends Chapter 644 of the Private Acts of 1911; as amended.

House Bill No. 1534 -- Gibson -- Subject to local approval, abolishes an alderman position that is vacant after the November 2018 election and is not filled by appointment. Amends Chapter 88 of the Private Acts of 2006.

House Bill No. 1535 -- School Districts, Special -- Decreases the boundary of the district pursuant to the request of the Tenth Special School District of Wilson County. Amends Chapter 330 of the Acts of 1901; as amended.

House Bill No. 1537 -- Burns -- Subject to local approval, moves the date of election from May to November; extends the terms, from two years to four years, for the mayor and commissioner. Amends Chapter 89 of the Private Acts of 2008.

House Bill No. 1538 -- Shelby County -- Subject to local approval, authorizes proceeds from the hotel/motel tax to be used for expenditures incurred in connection with a sports facility and the promotion of tourism. Amends Chapter 131 of the Private Acts of 1969; as amended.

House Bill No. 1539 -- Rutherford County -- Subject to local approval, transfers oversight of the human resources department from the county legislative body to the county mayor. Amends Chapter 61 of the Private Acts of 2003.

House Bill No. 1540 -- Jackson County -- Subject to local approval, authorizes the levy of a privilege tax, not to exceed 5 percent, on the occupancy of accommodations by transients.

House Bill No. 1541 -- Maury County -- Subject to local approval, clarifies that all parks and recreation areas owned or operated by the county are under the control of the board of park commissioners. Amends Chapter 296 of the Private Acts of 1957; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 1550** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 1550 Local bill -- held on desk.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 583 through 596**; and **Senate Resolutions Nos. 55 through 73** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 583 by Senator Roberts.

Memorials, Academic Achievement -- Nathanael Huling Rowley, Valedictorian, Christian Community Schools.

Senate Joint Resolution No. 584 by Senator Roberts.

Memorials, Academic Achievement -- Catherine Delanee Belcher, Salutatorian, Christian Community Schools.

Senate Joint Resolution No. 585 by Senator Roberts.

Memorials, Academic Achievement -- Jessica Street, Valedictorian, United Christian Academy.

Senate Joint Resolution No. 586 by Senator Roberts.

Memorials, Academic Achievement -- Nathan Roach, Salutatorian, United Christian Academy.

Senate Joint Resolution No. 587 by Senator Roberts.

Memorials, Academic Achievement -- Michael Austin Gable, Valedictorian, Christian Community Schools.

Senate Joint Resolution No. 588 by Senator Yager.

Memorials, Interns -- Kalyn Siebert.

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Senate Joint Resolution No. 589 by Senator Southerland.

Memorials, Recognition -- Frank P. "Rusty" Cantwell, Jr., Ageless Hall of Fame.

Senate Joint Resolution No. 590 by Senator Southerland.

Memorials, Recognition -- Emma Ruth Catlett, Ageless Hall of Fame.

Senate Joint Resolution No. 591 by Senator Southerland.

Memorials, Recognition -- Carolyn "Cookie" Ramsey, Ageless Hall of Fame.

Senate Joint Resolution No. 592 by Senator Niceley.

Memorials, Retirement -- Dr. Kitty Shanks Pruett.

Senate Joint Resolution No. 593 by Senator Akbari.

Memorials, Interns -- Summer Rodriguez.

Senate Joint Resolution No. 594 by Senator Roberts.

Memorials, Academic Achievement -- Annabeth Rose Hatcher, Valedictorian, South Haven Christian School.

Senate Joint Resolution No. 595 by Senator Roberts.

Memorials, Academic Achievement -- Hannah Cheyenne Randolph, Salutatorian, South Haven Christian School.

Senate Joint Resolution No. 596 by Senator Roberts.

Memorials, Academic Achievement -- Yuliana Nikisheva, Valedictorian, South Haven Christian School.

Senate Resolution No. 55 by Senator Akbari.

Memorials, Academic Achievement -- Jala Merriweather, Valedictorian, Hamilton High School.

Senate Resolution No. 56 by Senator Akbari.

Memorials, Academic Achievement -- Carmen Reaves, Salutatorian, Whitehaven High School.

Senate Resolution No. 57 by Senator Akbari.

Memorials, Academic Achievement -- Katilynn Webb, Valedictorian, Whitehaven High School.

Senate Resolution No. 58 by Senator Akbari.

Memorials, Academic Achievement -- LaDarryl V. Winsley II, Valedictorian, Westwood High School.

Senate Resolution No. 59 by Senator Akbari.

Memorials, Academic Achievement -- Kayla M. Boyd, Salutatorian, Westwood High School.

Senate Resolution No. 60 by Senator Akbari.

Memorials, Academic Achievement -- Dean Karash, Salutatorian, Millington Central High School.

Senate Resolution No. 61 by Senator Akbari.

Memorials, Academic Achievement -- Rockwell Karash, Valedictorian, Millington Central High School.

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Senate Resolution No. 62 by Senator Akbari.

Memorials, Academic Achievement -- Jerquindal Kelly, Valedictorian, Memphis Academy of Science and Engineering.

Senate Resolution No. 63 by Senator Akbari.

Memorials, Academic Achievement -- Allison Henry, Salutatorian, Memphis Academy of Science and Engineering.

Senate Resolution No. 64 by Senator Akbari.

Memorials, Academic Achievement -- Alencia Lauren Hall, Valedictorian, Central High School.

Senate Resolution No. 65 by Senator Akbari.

Memorials, Academic Achievement -- Galen Aubrey Hicks, Salutatorian, Central High School.

Senate Resolution No. 66 by Senator Akbari.

Memorials, Academic Achievement -- Diamond Douglas, Salutatorian, Fairley High School.

Senate Resolution No. 67 by Senator Akbari.

Memorials, Academic Achievement -- Kyle Beasley Hancock, Valedictorian, Middle College High School at Christian Brothers University.

Senate Resolution No. 68 by Senator Akbari.

Memorials, Academic Achievement -- Amy Kyle, Salutatorian, Middle College High School at Christian Brothers University.

Senate Resolution No. 69 by Senator Akbari.

Memorials, Academic Achievement -- Alesha Griggs, Salutatorian, Hillcrest High School.

Senate Resolution No. 70 by Senator Akbari.

Memorials, Academic Achievement -- Jade Rayford, Valedictorian, Hillcrest High School.

Senate Resolution No. 71 by Senator Akbari.

Memorials, Academic Achievement -- Angelayah Washington, Salutatorian, Hamilton High School.

Senate Resolution No. 72 by Senator Akbari.

Memorials, Academic Achievement -- DeNesia Watkins, Valedictorian, Fairley High School.

Senate Resolution No. 73 by Senator Bailey.

Memorials, Interns -- Cole Brown.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 397, 577 through 587, 589 through 601 and 613**; and **Senate Joint Resolutions Nos. 543 through 545, 547 through 575 and 577 through 582** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

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House Joint Resolution No. 397 -- General Assembly, Statement of Intent or Position -- Urges Secretary of State to include the Appalachian dialect in Section VI of the Tennessee Blue Book.

The Speaker announced that he had referred House Joint Resolution No. 397 to the Committee on State and Local Government.

House Joint Resolution No. 577 -- Memorials, Academic Achievement -- Aleha Cole, Salutatorian, Douglass High School.

The Speaker announced that he had referred House Joint Resolution No. 577 to the Committee on Calendar.

House Joint Resolution No. 578 -- Memorials, Academic Achievement -- Hannah Fields, Valedictorian, Douglass High School.

The Speaker announced that he had referred House Joint Resolution No. 578 to the Committee on Calendar.

House Joint Resolution No. 579 -- Memorials, Academic Achievement -- Tupac S. Moseley, Valedictorian, Raleigh Egypt High School.

The Speaker announced that he had referred House Joint Resolution No. 579 to the Committee on Calendar.

House Joint Resolution No. 580 -- Memorials, Academic Achievement -- Daniela Carrillo, Salutatorian, Raleigh Egypt High School.

The Speaker announced that he had referred House Joint Resolution No. 580 to the Committee on Calendar.

House Joint Resolution No. 581 -- Memorials, Sports -- Charles F. Wilson, Jr.

The Speaker announced that he had referred House Joint Resolution No. 581 to the Committee on Calendar.

House Joint Resolution No. 582 -- Memorials, Retirement -- Gary Howard.

The Speaker announced that he had referred House Joint Resolution No. 582 to the Committee on Calendar.

House Joint Resolution No. 583 -- Memorials, Sports -- Hunter Sturgill.

The Speaker announced that he had referred House Joint Resolution No. 583 to the Committee on Calendar.

House Joint Resolution No. 584 -- Memorials, Interns -- Savannah Morgan Cagle.

The Speaker announced that he had referred House Joint Resolution No. 584 to the Committee on Calendar.

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House Joint Resolution No. 585 -- Memorials, Death -- James Westley "Mutt" Pritchett.

The Speaker announced that he had referred House Joint Resolution No. 585 to the Committee on Calendar.

House Joint Resolution No. 586 -- Memorials, Recognition -- "Arts in Education Week".

The Speaker announced that he had referred House Joint Resolution No. 586 to the Committee on Education.

House Joint Resolution No. 587 -- Memorials, Professional Achievement -- AHC McNairy County, 2018 Silver Achievement in Quality Award.

The Speaker announced that he had referred House Joint Resolution No. 587 to the Committee on Calendar.

House Joint Resolution No. 589 -- Memorials, Recognition -- Collinwood American Legion Post 254 Funeral Honors Team.

The Speaker announced that he had referred House Joint Resolution No. 589 to the Committee on Calendar.

House Joint Resolution No. 590 -- Memorials, Death -- Bob Taylor Oakley.

The Speaker announced that he had referred House Joint Resolution No. 590 to the Committee on Calendar.

House Joint Resolution No. 591 -- Memorials, Academic Achievement -- Isabella Rose Terry, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 591 to the Committee on Calendar.

House Joint Resolution No. 592 -- Memorials, Academic Achievement -- Kaitlyn Victoria Lankford, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 592 to the Committee on Calendar.

House Joint Resolution No. 593 -- Memorials, Academic Achievement -- Hannah Makailyn Gregory, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 593 to the Committee on Calendar.

House Joint Resolution No. 594 -- Memorials, Academic Achievement -- Samantha Nicole Lewis, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 594 to the Committee on Calendar.

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House Joint Resolution No. 595 -- Memorials, Academic Achievement -- Kendall Nicole Williams, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 595 to the Committee on Calendar.

House Joint Resolution No. 596 -- Memorials, Academic Achievement -- Avery Anne Schoolfield, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 596 to the Committee on Calendar.

House Joint Resolution No. 597 -- Memorials, Academic Achievement -- Jessica Lynn Maynard, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 597 to the Committee on Calendar.

House Joint Resolution No. 598 -- Memorials, Academic Achievement -- Ethan Adam Buckler, Top Ten Graduate, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 598 to the Committee on Calendar.

House Joint Resolution No. 599 -- Memorials, Interns -- Rosalie Gunger.

The Speaker announced that he had referred House Joint Resolution No. 599 to the Committee on Calendar.

House Joint Resolution No. 600 -- Memorials, Interns -- Davida Johnson.

The Speaker announced that he had referred House Joint Resolution No. 600 to the Committee on Calendar.

House Joint Resolution No. 601 -- Memorials, Recognition -- CareNet Pregnancy Medical Center, 25th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 601 to the Committee on Calendar.

House Joint Resolution No. 613 -- Memorials, Government Officials -- Designates House Seat 34 in the House Chamber of the State Capitol as the "Charles Sargent Memorial."

The Speaker announced that he had referred House Joint Resolution No. 613 to the Committee on Calendar.

Senate Joint Resolution No. 543 -- Memorials, Death -- Sergeant Gregory Dean Byram.

The Speaker announced that he had referred Senate Joint Resolution No. 543 to the Committee on Calendar.

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Senate Joint Resolution No. 544 -- Memorials, Professional Achievement -- Ron Meers, Tennessee Bandmasters Association Hall of Fame.

The Speaker announced that he had referred Senate Joint Resolution No. 544 to the Committee on Calendar.

Senate Joint Resolution No. 545 -- Memorials, Recognition -- Andrew Bruce and Don Kim, Small Delegation Award at Model UN Conference.

The Speaker announced that he had referred Senate Joint Resolution No. 545 to the Committee on Calendar.

Senate Joint Resolution No. 547 -- Memorials, Public Service -- Lauren V. Plunk.

The Speaker announced that he had referred Senate Joint Resolution No. 547 to the Committee on Calendar.

Senate Joint Resolution No. 548 -- Memorials, Retirement -- Betty Shuck.

The Speaker announced that he had referred Senate Joint Resolution No. 548 to the Committee on Calendar.

Senate Joint Resolution No. 549 -- Memorials, Recognition -- Dalton Blake, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 549 to the Committee on Calendar.

Senate Joint Resolution No. 550 -- Memorials, Recognition -- Aaron Parris, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 550 to the Committee on Calendar.

Senate Joint Resolution No. 551 -- Memorials, Recognition -- Lucas Canter, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 551 to the Committee on Calendar.

Senate Joint Resolution No. 552 -- Memorials, Recognition -- Matthew Collins, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 552 to the Committee on Calendar.

Senate Joint Resolution No. 553 -- Memorials, Recognition -- Joshua Dalton, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 553 to the Committee on Calendar.

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Senate Joint Resolution No. 554 -- Memorials, Recognition -- Edward Ballard, Troy Mathews, and Micah Batson, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 554 to the Committee on Calendar.

Senate Joint Resolution No. 555 -- Memorials, Recognition -- Brandon Winstead, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 555 to the Committee on Calendar.

Senate Joint Resolution No. 556 -- Memorials, Recognition -- Joseph Sarraino, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 556 to the Committee on Calendar.

Senate Joint Resolution No. 557 -- Memorials, Recognition -- Anthony Bogel, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 557 to the Committee on Calendar.

Senate Joint Resolution No. 558 -- Memorials, Recognition -- James Roberts, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 558 to the Committee on Calendar.

Senate Joint Resolution No. 559 -- Memorials, Recognition -- Samuel Underwood, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 559 to the Committee on Calendar.

Senate Joint Resolution No. 560 -- Memorials, Interns -- Kristina Grant.

The Speaker announced that he had referred Senate Joint Resolution No. 560 to the Committee on Calendar.

Senate Joint Resolution No. 561 -- Memorials, Academic Achievement -- Benjamin Galluzzi, Salutatorian, Springfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 561 to the Committee on Calendar.

Senate Joint Resolution No. 562 -- Memorials, Academic Achievement -- Phoebe Ann Dawson, Salutatorian, White House Heritage High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 562 to the Committee on Calendar.

Senate Joint Resolution No. 563 -- Memorials, Academic Achievement -- Breanna Leigh Bishop, Valedictorian, White House Heritage High School.

The Speaker announced that he had referred Senate Joint Resolution No. 563 to the Committee on Calendar.

Senate Joint Resolution No. 564 -- Memorials, Academic Achievement -- Kylah Kivette, Valedictorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 564 to the Committee on Calendar.

Senate Joint Resolution No. 565 -- Memorials, Academic Achievement -- Bethany Milling, Salutatorian, Pleasant View Christian School.

The Speaker announced that he had referred Senate Joint Resolution No. 565 to the Committee on Calendar.

Senate Joint Resolution No. 566 -- Memorials, Academic Achievement -- Danielle Arlene Kreeger, Salutatorian, Dayspring Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 566 to the Committee on Calendar.

Senate Joint Resolution No. 567 -- Memorials, Academic Achievement -- Jaclyn Genevieve Kreeger, Salutatorian, Dayspring Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 567 to the Committee on Calendar.

Senate Joint Resolution No. 568 -- Memorials, Academic Achievement -- Elizabeth Grace Hall, Valedictorian, Dayspring Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 568 to the Committee on Calendar.

Senate Joint Resolution No. 569 -- Memorials, Academic Achievement -- Peyton Leigh Frazier, Valedictorian, Dayspring Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 569 to the Committee on Calendar.

Senate Joint Resolution No. 570 -- Memorials, Academic Achievement -- Trish Nguyen, Valedictorian, Harpeth High School.

The Speaker announced that he had referred Senate Joint Resolution No. 570 to the Committee on Calendar.

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Senate Joint Resolution No. 571 -- Memorials, Academic Achievement -- Ben Bruzewski, Salutatorian, Harpeth High School.

The Speaker announced that he had referred Senate Joint Resolution No. 571 to the Committee on Calendar.

Senate Joint Resolution No. 572 -- Memorials, Academic Achievement -- Sadie Collins, Valedictorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 572 to the Committee on Calendar.

Senate Joint Resolution No. 573 -- Memorials, Academic Achievement -- Grace Harris, Salutatorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 573 to the Committee on Calendar.

Senate Joint Resolution No. 574 -- Memorials, Academic Achievement -- Sarah Ramey, Valedictorian, Springfield High School.

The Speaker announced that he had referred Senate Joint Resolution No. 574 to the Committee on Calendar.

Senate Joint Resolution No. 575 -- Memorials, Recognition -- Fayette County Public Schools Academic Pentathlon teams.

The Speaker announced that he had referred Senate Joint Resolution No. 575 to the Committee on Calendar.

Senate Joint Resolution No. 577 -- Memorials, Death -- Jonathan Craig Stewart.

The Speaker announced that he had referred Senate Joint Resolution No. 577 to the Committee on Calendar.

Senate Joint Resolution No. 578 -- Memorials, Recognition -- Jacob Tullock, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 578 to the Committee on Calendar.

Senate Joint Resolution No. 579 -- Memorials, Public Service -- Sarah E.T. Webster.

The Speaker announced that he had referred Senate Joint Resolution No. 579 to the Committee on Calendar.

Senate Joint Resolution No. 580 -- Memorials, Recognition -- Winter & Company Dance Studio Competition Team.

The Speaker announced that he had referred Senate Joint Resolution No. 580 to the Committee on Calendar.

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Senate Joint Resolution No. 581 -- Memorials, Recognition -- Ethan Burchett, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 581 to the Committee on Calendar.

Senate Joint Resolution No. 582 -- Memorials, Recognition -- Trey Fillers, State Leadership and Skills Conference of SkillsUSA.

The Speaker announced that he had referred Senate Joint Resolution No. 582 to the Committee on Calendar.

MOTION

Senator Roberts moved that **House Bill No. 471** be held on the Clerk's desk, which motion prevailed.

MOTION

Senator Jackson moved that **Senate Resolution No. 53** be rereferred to the Committee on Calendar, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 530 -- Memorials, Recognition -- Hamilton County, bicentennial.

Senate Joint Resolution No. 531 -- Memorials, Interns -- Zachary M. Lambert.

Senate Joint Resolution No. 532 -- Memorials, Death -- John Claude Houser.

Senate Resolution No. 54 -- Memorials, Death -- Travis Lamar Logan.

House Joint Resolution No. 478 -- Memorials, Academic Achievement -- Kenley Wilson, Salutatorian, Cosby High School.

House Joint Resolution No. 479 -- Memorials, Academic Achievement -- Haley Burgin, Salutatorian, Cosby High School.

House Joint Resolution No. 480 -- Memorials, Academic Achievement -- Olivia Ford, Valedictorian, Cosby High School.

House Joint Resolution No. 481 -- Memorials, Academic Achievement -- Alexandria Claire Chrisman, Salutatorian, Cocke County High School.

House Joint Resolution No. 482 -- Memorials, Academic Achievement -- Morgan Ana Phillips, Valedictorian, Cocke County High School.

House Joint Resolution No. 483 -- Memorials, Academic Achievement -- Braelyn G. Wykle, Salutatorian, South Greene High School.

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House Joint Resolution No. 484 -- Memorials, Academic Achievement -- Luke Crum, Salutatorian, South Greene High School.

House Joint Resolution No. 485 -- Memorials, Academic Achievement -- Mikinzie M. Miller, Valedictorian, South Greene High School.

House Joint Resolution No. 486 -- Memorials, Academic Achievement -- Austin J. Jones, Valedictorian, South Greene High School.

House Joint Resolution No. 487 -- Memorials, Recognition -- Scott Nations.

House Joint Resolution No. 488 -- Memorials, Death -- Charles Leston Bradshaw.

House Joint Resolution No. 489 -- Memorials, Interns -- Lauren Hennessee.

House Joint Resolution No. 490 -- Memorials, Interns -- Blake Hassler.

House Joint Resolution No. 491 -- Memorials, Death -- William C. "Bill" Bennett.

House Joint Resolution No. 492 -- Memorials, Death -- Reverend Billy Dean.

House Joint Resolution No. 493 -- Memorials, Recognition -- Chief Donald W. Bandy.

House Joint Resolution No. 494 -- Memorials, Academic Achievement -- Kamdyn Austin, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 495 -- Memorials, Academic Achievement -- Sydney Danielle Bass, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 496 -- Memorials, Academic Achievement -- Jack Wright, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 497 -- Memorials, Academic Achievement -- Madison Greenwood, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 498 -- Memorials, Academic Achievement -- Maijala Harrelson, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 499 -- Memorials, Academic Achievement -- Cameron Paschal, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 500 -- Memorials, Academic Achievement -- Caleb Ward, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 501 -- Memorials, Academic Achievement -- Zachary Baines, Top Ten Senior, Gordonsville High School.

House Joint Resolution No. 502 -- Memorials, Personal Occasion -- Oscar Jeffie Moorehead, 80th Birthday.

House Joint Resolution No. 503 -- Memorials, Recognition -- Tyler Morgan.

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House Joint Resolution No. 504 -- Memorials, Recognition -- Carlisle Webb Mitchum II.

House Joint Resolution No. 505 -- Memorials, Death -- Judge Edward H. Sapp.

House Joint Resolution No. 507 -- Memorials, Recognition -- Randall Gray.

House Joint Resolution No. 508 -- Memorials, Retirement -- Annette Morgan.

House Joint Resolution No. 509 -- Memorials, Retirement -- Keith Ballou.

House Joint Resolution No. 510 -- Memorials, Retirement -- Mike Bailey.

House Joint Resolution No. 511 -- Memorials, Interns -- Logan Harris.

House Joint Resolution No. 512 -- Memorials, Recognition -- Judge Deborah Means Henderson.

House Joint Resolution No. 513 -- Memorials, Recognition -- Beverly C. Robertson.

House Joint Resolution No. 514 -- Memorials, Interns -- Sarah Ferry.

House Joint Resolution No. 515 -- Memorials, Death -- Gladys Margaret Endsley McKinsey.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Objections having been raised, the following bill was placed at the heel of the calendar for Monday, April 29, 2019, pursuant to Rule 38: **Senate Bill No. 1521.**

Senate Bill No. 1509 -- Taxes, Hotel/Motel -- As introduced, authorizes the City of Cookeville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 3 percent on the privilege of staying in any hotel or motel in Cookeville; requires the ordinance to set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism and economic development. Amends TCA Section 67-4-1425.

On motion, Senate Bill No. 1509 was made to conform with **House Bill No. 1500**.

On motion, House Bill No. 1500, on same subject, was substituted for Senate Bill No. 1509.

Senate Bill No. 1523 -- Taxes, Hotel/Motel -- As introduced, authorizes the City of White Pine to levy a privilege tax of up to 5 percent upon the privilege of occupancy by a two-thirds vote of its governing body. Amends TCA Section 67-4-1425.

On motion, Senate Bill No. 1523 was made to conform with **House Bill No. 1515**.

On motion, House Bill No. 1515, on same subject, was substituted for Senate Bill No. 1523.

Senate Bill No. 1524 -- Bolivar -- Subject to local approval, removes the mayor as a member of the city council; removes limits on salaries for mayor and council; updates city purchasing provisions to comply with state law; changes the property tax penalty percentage to comply with state law. Amends Chapter 142 of the Private Acts of 1953; as amended.

On motion, Senate Bill No. 1524 was made to conform with **House Bill No. 1516**.

On motion, House Bill No. 1516, on same subject, was substituted for Senate Bill No. 1524.

Senate Bill No. 1527 -- McKenzie -- Subject to local approval, reduces the maximum penalty levied by the municipal court from \$500 to \$50; removes the certification requirement for newly elected councilmen; removes city council authority to impeach; allows council to appoint a city administrator; removes the city clerk bond requirement; revises various other provisions. Amends Chapter 128 of the Private Acts of 1990; as amended.

On motion, Senate Bill No. 1527 was made to conform with **House Bill No. 1519**.

On motion, House Bill No. 1519, on same subject, was substituted for Senate Bill No. 1527.

Senate Bill No. 1528 -- McLemoresville -- Subject to local approval, deletes antiquated provisions related to poll taxes; codifies current practice of city regarding election timing and terms; adds grounds for removal from office for board of mayor and aldermen; authorizes the hiring of a city recorder; removes cap on fines that may be imposed for a violation of ordinances, on property tax, and business tax. Amends Chapter 507 of the Private Acts of 1949; as amended.

On motion, Senate Bill No. 1528 was made to conform with **House Bill No. 1521**.

On motion, House Bill No. 1521, on same subject, was substituted for Senate Bill No. 1528.

Senate Bill No. 1531 -- Robertson County -- Subject to local approval, increases from \$250 to \$500 the monthly compensation of the Robertson County highway commissioners and chairman of the commission. Amends Chapter 380 of the Private Acts of 1947; as amended.

On motion, Senate Bill No. 1531 was made to conform with **House Bill No. 1520**.

On motion, House Bill No. 1520, on same subject, was substituted for Senate Bill No. 1531.

Senate Bill No. 1533 -- Dickson County -- Subject to local approval, changes the county highway engineer position from elected to appointed and changes the county highway engineer's

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duties to only be the duties as provided in Tennessee County Uniform Highway Law. Amends Chapter 38 of the Private Acts of 2018.

On motion, Senate Bill No. 1533 was made to conform with **House Bill No. 1526**.

On motion, House Bill No. 1526, on same subject, was substituted for Senate Bill No. 1533.

Senate Bill No. 1534 -- Pickett County -- Subject to local approval, establishes that chancery court has jurisdiction relating to the probate of wills and administration of estates, pursuant to general law, and that general sessions court has concurrent jurisdiction with the circuit and chancery courts over domestic relations cases.

On motion, Senate Bill No. 1534 was made to conform with **House Bill No. 1528**.

On motion, House Bill No. 1528, on same subject, was substituted for Senate Bill No. 1534.

Senate Bill No. 1535 -- School Districts, Special -- Pursuant to the request of the Tenth special school district of Wilson County, permits the district to issue bonds or notes in an amount of \$28 million or less and to issue bond anticipation notes in an amount of \$28 million or less. Amends Chapter 330 of the Acts of 1901.

On motion, Senate Bill No. 1535 was made to conform with **House Bill No. 1525**.

On motion, House Bill No. 1525, on same subject, was substituted for Senate Bill No. 1535.

Senate Bill No. 1536 -- Millington -- Subject to local approval, changes the municipal judge from an elected to appointed position; requires all persons employed by the city to take an oath of office; requires the board to establish, by resolution, which city officials are authorized to sign checks on the city's behalf. Amends Chapter 58 of the Private Acts of 2012; as amended.

On motion, Senate Bill No. 1536 was made to conform with **House Bill No. 1527**.

On motion, House Bill No. 1527, on same subject, was substituted for Senate Bill No. 1536.

Senate Bill No. 1538 -- Jackson -- Subject to local approval, adds age and residency requirements to be eligible to run for mayor and city council; changes the voting requirement for filling vacancies for the city council; requires the city to obtain a fidelity bond for the mayor and treasurer; changes the due date for payment of taxes levied by the city to October 1 through December 31 of each year; requires certain ordinances to be published on the city's website. Amends Chapter 101 of the Private Acts of 1993; as amended.

On motion, Senate Bill No. 1538 was made to conform with **House Bill No. 1529**.

On motion, House Bill No. 1529, on same subject, was substituted for Senate Bill No. 1538.

Senator Jackson moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	33
Noes	0

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Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 795 -- Education -- As introduced, extends, from 10 days to 30 days, the period of time after a local board of education orders a student's school assignment within which a parent, guardian, or legal representative may apply to the board for a hearing to challenge the reasonableness of the student's assignment and to request the student's transfer to another school. Amends TCA Title 49, Chapter 6.

On motion, Senate Bill No. 795 was made to conform with **House Bill No. 939**.

On motion, House Bill No. 939, on same subject, was substituted for Senate Bill No. 795.

Senator Gresham moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

Senator Dickerson moved that Amendment No. 3 be placed behind Amendment No. 2, which motion prevailed.

Senator Dickerson moved that Amendment No. 4 be placed behind Amendment No. 3, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 5

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following language as a new part:

49-6-2601. This part shall be known and may be cited as the "Tennessee Education Savings Account Pilot Program."

49-6-2602.

As used in this part, unless the context otherwise requires:

(1) "Department" means the department of education;

(2) "Eligible postsecondary institution" means:

(A) An institution operated by:

- (i) The board of trustees of the University of Tennessee;
- (ii) The board of regents of the state university and community college system; or
- (iii) A local governing board of trustees of a state university in this state; or

(B) A private postsecondary institution accredited by an accrediting organization approved by the state board of education;

(3) "Eligible student" means a resident of this state who:

(A)(i) Was previously enrolled in and attended a Tennessee public school for the one (1) full school year immediately preceding the school year for which the student receives an education savings account;

(ii) Is eligible for the first time to enroll in a Tennessee school; or

(iii) Received an education savings account in the previous school year;

(B) Is a student in any of the grades kindergarten through twelve (K-12);

(C)(i) Is zoned to attend a school in an LEA, excluding the achievement school district (ASD), with ten (10) or more schools:

(a) Identified as priority schools in 2015, as defined by the state's accountability system pursuant to § 49-1-602;

(b) Among the bottom ten percent (10%) of schools, as identified by the department in 2017 in accordance with § 49-1-602(b)(3); and

(c) Identified as priority schools in 2018, as defined by the state's accountability system pursuant to § 49-1-602; or

(ii) Is zoned to attend a school that is in the ASD on the effective date of this act; and

(D) Is a member of a household with an annual income for the previous year that does not exceed twice the federal income eligibility guidelines for free lunch;

(4) "ESA" means an education savings account created by this part;

(5) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; provided, that the school must include grade twelve (12);

(6) "Legacy student" means a participating student who:

(A)(i) Graduates from high school; or

(ii) Exits the program by reaching twenty-two (22) years of age;

(B) Has funds remaining in the student's education savings account; and

(C) Has an open education savings account;

(7) "Local education agency" or "LEA" has the same meaning as defined in § 49-1-103;

(8) "Parent" means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001;

(9) "Participating school" means a private school, as defined by § 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the department of education and the state board of education for a Category I, II, or III private school, and that seeks to enroll eligible students;

(10) "Participating student" means:

(A) An eligible student who is seventeen (17) years of age or younger and whose parent is participating in the education savings account program; or

(B) An eligible student who has reached the age of eighteen (18) and who is participating in the education savings account program;

(11) "Program" means the education savings account program created in this part;

(12) "Provider" means an individual or business that provides educational services in accordance with this part and that meets the requirements established by the department of education and the state board of education; and

(13) "State board" means the state board of education.

49-6-2603.

(a) To participate in the program, a parent of an eligible student who is seventeen (17) years of age or younger, or an eligible student who has reached the age of eighteen (18) must:

(1) Ensure the provision of an education for the participating student that satisfies the compulsory school attendance requirement provided in § 49-6-3001(c)(1) through:

(A) Enrollment in a private school, as defined in § 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the department and the state board for a Category I, II, or III private school; or

(B) A home school operated under § 49-6-3050(a)(2) or (a)(3);

(2) Not enroll the participating student in a public school while participating in the program;

(3) Release the LEA in which the participating student resides from all obligations to educate the participating student while participating in the program. Participation in the program has the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1414);

(4) Only use the funds deposited in a participating student's ESA for one (1) or more of the following expenses of the student:

(A) Tuition or fees at a participating school;

(B) Textbooks required by a participating school;

(C) Tutoring services provided by a tutor or tutoring facility that meets the requirements established by the department and the state board;

(D) Payment for purchase of curriculum, including any supplemental materials or instruments required by the curriculum. As used in this subdivision (a)(4)(D), "curriculum" means instructional educational materials for an academic course of study;

(E) Fees for transportation to and from a participating school or educational provider paid to a fee-for-service transportation provider;

(F) Fees for early postsecondary opportunity courses and examinations required for college admission;

(G) Services provided under a contract with a public school, including individual classes or extracurricular programs;

(H) Computer hardware or any other technological device approved by the department, if the computer hardware or technological device is used for the student's educational needs and is purchased through a participating school, private school, or provider;

(I) School uniforms, if required by a participating school;

(J) Tuition and fees for summer education programs and specialized afterschool education programs, as approved by the department, which do not include afterschool childcare;

(K) Tuition and fees at an eligible postsecondary institution;

(L) Textbooks required by an eligible postsecondary institution;

(M) Educational therapy services provided by therapists that meet the requirements established by the department and the state board; or

(N) Fees for the management of the ESA by a private or non-profit financial management organization, as approved by the department. The fees must not exceed two percent (2%) of the funds deposited in a participating student's ESA in a fiscal year; and

(5) Verify that the student's household income meets the requirements of § 49-6-2602(3)(D) by providing documentation showing evidence of income, including, but not limited to, pay stubs, W-2 forms, or income tax returns. Household income must be verified under this subdivision (a)(5):

(A) When the parent of the eligible student or the eligible student, as applicable, submits an application to participate in the program; and

(B) At least once every three (3) years, according to the schedule and income-verification process developed by the department.

(b) This part does not prohibit a parent or third party from paying the costs of educational programs and services for a participating student that are not covered by the funds in an ESA.

(c) When a participating student reaches the age of eighteen (18), the rights accorded to, and any consent required of, the participating student's parent under this part transfer from the participating student's parent to the participating student.

(d) For purposes of continuity of educational attainment, and subject to the eligibility requirements of § 49-6-2602(3)(A) and (B), a participating student may participate in the program, unless the student is suspended or terminated from participating in the program under § 49-6-2608, until:

(1) The participating student:

(A) Enrolls in a public school;

(B) Ceases to be a resident of the LEA in which the student resided when the student began participating in the program;

(C) Graduates or withdraws from high school; or

(D) Reaches twenty-two (22) years of age between the commencement of the school year and the conclusion of the school year, whichever occurs first; or

(2) The parent of the participating student or the participating student, as applicable:

(A) Fails to verify that the participating student's household income meets the requirements of § 49-6-2602(3)(D) according to the schedule and income-verification process developed by the department; or

(B) Verifies, according to the schedule and income-verification process developed by the department, that the participating student's household income does not meet the requirements of § 49-6-2602(3)(D).

(e) A participating student may return to the student's LEA at any time after enrolling in the program. Upon a participating student's return to the student's LEA, the student's ESA will be closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(f)(1) If a participating student ceases to be a resident of the LEA in which the student resided when the student began participating in the program, then the student's ESA will be closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(2) If the parent of a participating student or the participating student, as applicable, fails to verify that the participating student's household income meets the requirements of § 49-6-2602(3)(D) according to the schedule and income-verification process developed by the department, or if the parent of a participating student or the participating student, as applicable, verifies, according to the schedule and income-verification process developed by the department, that the participating student's household income does not meet the requirements of § 49-6-2602(3)(D), then the student's ESA will be closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(g) Any funds remaining in a participating student's ESA upon graduation from high school or exiting the program by reaching twenty-two (22) years of age may be used by the student when the student becomes a legacy student to attend or take courses from an eligible postsecondary institution, with qualifying expenses subject to the conditions of subdivision (a)(4).

(h) A participating student's ESA will be closed, and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358, after the first of the following events:

(1) Upon a legacy student's graduation from an eligible postsecondary institution;

(2) After four (4) consecutive years elapse immediately after a legacy student enrolls in an eligible postsecondary institution;

(3) After a participating student or legacy student exits the program and is not enrolled in an eligible postsecondary institution; or

(4) After a participating or legacy student reaches twenty-two (22) years of age and is not enrolled in an eligible postsecondary institution.

(i) Funds received pursuant to this part:

(1) Constitute a scholarship provided for use on qualified educational expenses listed in subdivision (a)(4); and

(2) Do not constitute income of a parent of a participating student under title 67, chapter 2 or any other state law.

(j) A student who is eligible for both the program created under this part and an individualized education account under the Individualized Education Act, compiled in chapter 10, part 14 of this title, may apply for both programs but must only participate and receive assistance from one (1) program.

(k) The state board shall adopt rules regarding the spending requirements for ESA funds and the use of any unspent funds, as well as rules providing for determining that a student is no longer participating in the program or that a student's ESA should be closed. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2604.

(a) The department shall establish:

(1) Procedures to determine student eligibility in accordance with the requirements established by this part;

(2)(A) An application form that a parent of a student or a student who has reached the age of eighteen (18) may submit to the department to determine the student's eligibility for an ESA and make the application form readily available on the department's website;

(B) An application process that provides a timeline, before the start of the school year for which an application is being submitted, when a parent of a student, or a student who has reached the age of eighteen (18), as applicable, must submit an application to participate in the program. If the application is approved, then the student may participate in the program beginning with the school year identified in the application. If a participating student exists the program, then the student's parent, or the student, as applicable, may reapply to participate in the program in accordance with the application process and timeline established by the department under this subdivision (a)(2)(B);

(3) An approval process for a private school to become a participating school;

(4) An application form that a private school may submit to the department to become a participating school and make the application form readily available on the department's website;

(5) An annual application period for a parent of a student, or a student who has reached the age of eighteen (18), to apply for the program; and

(6) An income-verification process for a parent of a participating student who is seventeen (17) years of age or younger, or a participating student who has reached the age of eighteen (18), as applicable, to verify, at least once every three (3) years, that the participating student's household income meets the requirements of § 49-6-2602(3)(D).

(b) The program shall begin enrolling participating students no later than the 2021-2022 school year.

(c)(1) The number of participating students that may enroll in the program from any one (1) LEA, as described in § 49-6-2602(3)(C)(i), or from any one (1) school, as described in § 49-6-2602(3)(C)(ii), must not exceed:

(A) For the first school year of operation, five thousand (5,000) students; and

(B) For the second school year of operation and for each school year thereafter, seven thousand five hundred (7,500) students.

(2) The maximum number of students that may participate in the program is fifteen thousand (15,000) students.

(d)(1) Notwithstanding subsection (c), if, in the application period for a school year, the number of program applications received by the department does not exceed seventy-five percent (75%) of the maximum number of students that may participate in the program for that school year under subsection (c), then the maximum number of students that may participate in the program for that school year must remain in place for subsequent school years until the number of applications during a subsequent program application period exceeds seventy-five percent (75%) of that maximum number.

(2) Once the number of applications during a subsequent program application period exceeds seventy-five percent (75%) of the maximum number that has remained in place under subdivision (d)(1), then, during the next school year for which an increase is practicable, the maximum number of students that may participate in the program for that school year shall increase to the number of students provided for under subsection (c) that is in excess of the most recent maximum number of students allowed to participate in the program.

(3) This subsection (d) is subject to the caps on the maximum number of students that may participate in the program for a particular school year under subsection (c).

(e) If, in the application period for a school year, the number of program applications received by the department exceeds the maximum number of students that may participate in the program for that school year under subsection (c), then the department shall select students for participation in the program through an enrollment lottery process. Students who participated in the program in the previous school year receive enrollment preference and, as a result, are excluded from entering into an enrollment lottery. If an enrollment lottery is conducted, then enrollment preference must be granted in the following order:

- (1) Students who have a sibling participating in the program;
- (2) Students zoned to attend a priority school as defined by the state's accountability system pursuant to § 49-1-602;
- (3) Students eligible for direct certification under 42 U.S.C. § 1758(b)(4); and
- (4) All other eligible students.

49-6-2605.

(a) The maximum annual amount to which a participating student is entitled under the program must be equal to the amount representing the per pupil state and local funds generated and required through the basic education program (BEP) for the LEA in which the participating student resides, but must not exceed the average state BEP allocation per pupil combined with the average required local match per pupil.

(b)(1) For the purpose of funding calculations, each participating student must be counted in the enrollment figures for the LEA in which the participating student resides. The ESA funds for participating students must be subtracted from the state BEP funds otherwise payable to the LEA. The department shall remit funds to a participating student's ESA on at least a quarterly basis. Any funds awarded under this part are the entitlement of the participating student or legacy student, under the supervision of the participating student's or legacy student's parent if the participating student or legacy student is seventeen (17) years of age or younger.

(2)(A) There is established a school improvement fund to be administered by the department that, for the first three (3) fiscal years in which the program accepts participating students and subject to appropriation, shall disburse an annual grant to each LEA to be used for school improvement in an amount equal to the ESA amount for participating students under the program who:

(i) Were enrolled in and attended a school in the LEA for the one (1) full school year immediately preceding the school year in which the student began participating in the program; and

(ii) Generate BEP funds for the LEA in the applicable fiscal year that will be subtracted from the state BEP funds payable to the LEA under subdivision (b)(1).

(B) After the first three (3) fiscal years in which the program accepts participating students, the department shall disburse any appropriations to the fund established in this

subdivision (b)(2) as school improvement grants for programs to support priority schools as defined by the state's accountability system pursuant to § 49-1-602.

(3) Any balance in the fund established in subdivision (b)(2) remaining unexpended on the program at the end of any fiscal year does not revert to the general fund, but is carried forward for expenditure in subsequent years.

(c) The department shall provide parents of participating students or students, as applicable, with a written explanation of the allowable uses of ESA funds, the responsibilities of parents regarding ESA funds and the parents' participating students, and the department's duties regarding ESA funds and eligible students, participating students, and legacy students.

(d) The department shall post on the department's website a list of participating schools for each school year, the grades taught in each participating school, and any other information that the department determines may assist parents in selecting a participating school.

(e) The department shall strive to ensure that lower-income families and families with students listed under § 49-6-2604(e) are notified of the program and of the eligibility requirements to participate in the program.

(f) The department shall strive to ensure that parents of students with disabilities receive notice that participation in the program has the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1414).

(g) The department shall adopt policies and procedures necessary for the administration of the program, including, but not limited to, policies for establishing, or contracting for the establishment of, an anonymous online fraud reporting service and telephone hotline, for reporting fraudulent activity related to ESAs, and for conducting or contracting for random, quarterly, or annual review of accounts.

(h) The department may deduct six percent (6%) from the annual ESA award amount to cover the costs of overseeing the funds and administering the program.

(i) The department may contract with a nonprofit organization to administer some or all portions of the program.

49-6-2606.

(a)(1) As a condition of participating in the program, participating students in grades three through eleven (3-11) must be annually administered the Tennessee comprehensive assessment program (TCAP) tests for math and English language arts, or successor tests authorized by the state board of education for math and English language arts.

(2) For participating students enrolled full-time in a participating school, the participating school shall annually administer the tests required in subdivision (a)(1) to participating students.

(3) For participating students seventeen (17) years of age or younger who are not enrolled full-time in a participating school, the participating student's parent must ensure that the participating student is annually administered the tests required in subdivision (a)(1). A participating student who has reached the age of eighteen (18) and who is not enrolled full-time in a participating school must ensure that the participating student is annually administered the tests required in subdivision (a)(1).

(b) The department shall ensure that:

(1) Parents report the participating student's graduation from high school to the department; and

(2) A parental satisfaction survey is created and annually disseminated to parents of participating students that requests the following information:

(A) Parental satisfaction with the program, including parental recommendations, comments, and concerns;

(B) Whether the parent terminated the participating student's participation in the program and the reason for termination;

(C) Methods to improve the effectiveness of the program, including parental recommendations for doing so; and

(D) The number of years the parent's participating student has participated in the program.

(c) In compliance with all state and federal student privacy laws, beginning at the conclusion of the first fiscal year in which the program enrolls participating students, the department shall produce an annual report that is accessible on the department's website with information about the program for the previous school year. The report must include:

(1) The number of students participating in the program;

(2) Aggregate participating student performance on annual assessments required by this section;

(3) Aggregate graduation outcomes for participating students in grade twelve (12); and

(4) Results from the parental satisfaction survey required in subdivision (b)(2).

(d) In compliance with all state and federal student privacy laws, the program is subject to audit by the comptroller of the treasury or the comptroller's designee no later than the first fiscal year in which the program enrolls participating students and annually thereafter. The audit may include a sample of ESAs to evaluate the eligibility of the participating students, the funds deposited in the ESAs, and whether ESA funds are being used for authorized expenditures. The audit may also include an analysis of the department's ESA monitoring process and the sufficiency of the department's fraud protection measures. The department shall cooperate fully with the comptroller of the treasury or the comptroller's designee in the performance of the audit. The audit must be made available to the members of the general assembly.

49-6-2607.

(a) ESA funds shall only be used for the expenses listed in § 49-6-2603(a)(4).

(b) The department shall establish and maintain separate ESAs for each participating student and shall verify that the uses of ESA funds are permitted under § 49-6-2603(a)(4) and institute fraud protection measures. Use of ESA funds on tuition and fees, computer hardware or other technological devices, tutoring services, educational therapy services, summer education programs and specialized afterschool education programs, and any other expenses identified by the department must be pre-approved by the department. Pre-approval shall be requested by completing and submitting the department's pre-approval form. The department shall develop processes to effectuate this subsection (b).

(c) To document compliance with subsection (a), participating schools, providers, and eligible postsecondary institutions shall provide parents of participating students or participating students, as applicable, with a receipt for all expenses paid to the participating school, provider, or eligible postsecondary institution using ESA funds.

(d) A participating school, provider, or eligible postsecondary institution shall not, in any manner, refund, rebate, or share funds from an ESA with a parent of a participating student or a participating student. The department shall establish a process for funds to be returned to an ESA by a participating school, provider, or eligible postsecondary institution.

(e) To ensure the safety and equitable treatment of participating students, participating schools shall:

(1) Comply with all state and federal health and safety laws applicable to nonpublic schools;

(2) Certify that the participating school will not discriminate against participating students or applicants on the basis of race, color, or national origin;

(3) Comply with § 49-5-202;

(4) Conduct criminal background checks on employees; and

(5) Exclude from employment:

(A) Any person who is not permitted by state law to work in a nonpublic school; and

(B) Any person who might reasonably pose a threat to the safety of students.

(f) An LEA shall provide a participating school that has admitted a participating student with a complete copy of the participating student's school records in the LEA's possession to the extent permitted by state and federal student privacy laws.

49-6-2608.

(a)(1) The department may suspend or terminate a participating school's or provider's participation in the program if the department determines that the participating school or provider has failed to comply with the requirements of this part.

(2) The state board shall promulgate rules allowing the department to suspend or terminate a participating school's participation in the program due to low academic performance, as determined by the department.

(3) If the department suspends or terminates a participating school's or provider's participation under this subsection (a), then the department shall notify affected participating students and the parents of participating students of the decision. If a participating school's or provider's participation in the program is suspended or terminated, or if a participating school or provider withdraws from the program, then affected participating students remain eligible to participate in the program.

(b) The department may suspend or terminate a participating student from the program, or close a legacy student's ESA, if the department determines that the participating student's or legacy student's parent or the participating student or legacy student has failed to comply with the requirements of this part. If the department terminates a participating student's or legacy student's participation in the program, then the department shall close the participating student's or legacy student's ESA.

(c) A parent of a participating student, a participating student, a legacy student, or any other person who uses the funds deposited in a participating student's ESA for expenses that do not constitute one (1) or more of the qualified expenses listed in § 49-6-2603(a)(4), or a parent of a participating

student, a participating student, a legacy student, or any other person who misrepresents the nature, receipts, or other evidence of any expenses paid by the parent of a participating student, by a participating student, or by a legacy student is liable for restitution to the department in an amount equal to the amount of such expenses.

(d) Any funds remaining in an ESA that is closed in accordance with subsection (b) must be returned to the state treasurer to be placed in the basic education program (BEP) account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(e) The state board shall promulgate rules to effectuate this section, including rules to establish a process for a participating school's, provider's, participating student's, or legacy student's suspension or termination from the program. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2609.

(a) A participating school or provider is autonomous and not an agent of this state.

(b) The creation of the ESA program does not expand the regulatory authority of this state, the officers of this state, or an LEA to impose any additional regulation of participating schools or providers, including home schools operated under § 49-6-3050(a)(2) or (a)(3), beyond the rules and regulations necessary to enforce the requirements of the program.

(c) This state gives participating schools and providers maximum freedom to provide for the educational needs of participating students without governmental control. Neither a participating school nor a provider is required to alter its creed, practices, admissions policies, or curriculum in order to accept participating students, other than as is necessary to comply with the requirements of the program.

49-6-2610.

The state board is authorized to promulgate rules to effectuate the purposes of this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2611.

(a)(1) It is the general assembly's intent that this part provide funding to students who reside in LEAs that have consistently had the highest number of low-performing schools and for ESA funds to be used to provide educational opportunities to such students that are equal to the educational opportunities available to students who reside in LEAs with higher-performing schools.

(2)(A) On January 1 following the third fiscal year in which the program enrolls participating students, and every January 1 thereafter, the office of research and education accountability (OREA), in the office of the comptroller of the treasury, shall provide a report to the general assembly to assist the general assembly in evaluating the efficacy of the program. The report must include, in compliance with all state and federal student privacy laws:

(i) The information contained in the department's annual report prepared pursuant to § 49-6-2606(c);

(ii) Academic performance indicators for participating students in the program including, but not limited to, data generated from the test or tests administered to participating students pursuant to § 49-6-2606(a)(1);

(iii) Audit reports prepared by the comptroller of the treasury or the comptroller's designee pursuant to § 49-6-2606(d);

(iv) A list of the LEAs that meet the requirements of § 49-6-2602(3)(C) for the most recent year in which the department collected such information; and

(v) Recommendations for legislative action if, based upon the list provided pursuant to subdivision (a)(2)(A)(iv), the LEAs with students who are eligible to participate in the program under § 49-6-2602(3)(C) is no longer consistent with the intent described in subdivision (a)(1).

(B) The department shall assist the OREA in its preparation of the report required under this subdivision (a)(2).

(C) The OREA's initial report to the general assembly under this subdivision (a)(2) must include the information outlined in subdivisions (a)(2)(A)(i)-(v) for each of the three (3) preceding school years in which the program enrolled participating students.

(b) If any provision of this part or this part's application to any person or circumstance is held invalid, then the invalidity must not affect other provisions or applications of this part that can be given effect without the invalid provision or application, and to that end the provisions of this part are severable.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 5 was adopted.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the word "exists" in § 49-6-2604(a)(2)(B) in the amendatory language of Section 1 and substituting instead the word "exits".

AND FURTHER AMEND by deleting § 49-6-2605(a) in the amendatory language of Section 1 and substituting instead the following:

(a) The maximum annual amount to which a participating student is entitled under the program must be equal to the amount representing the per pupil state and local funds generated and required through the basic education program (BEP) for the LEA in which the participating student resides, but must not exceed the combined statewide average of required state and local BEP allocations per pupil. The department shall promulgate rules to annually calculate and determine the combined statewide average of required state and local BEP allocations per pupil.

AND FURTHER AMEND by deleting § 49-6-2605(b)(2)(B) in the amendatory language of Section 1 and substituting instead the following:

(B) After the first three (3) fiscal years in which the program enrolls participating students, the department shall disburse any appropriations to the fund established in this subdivision (b)(2) as school improvement grants for programs to support schools identified as priority schools, as defined by the state's accountability system pursuant to § 49-1-602, for 2021 or any year thereafter.

AND FURTHER AMEND by deleting § 49-6-2606(c)(2) in the amendatory language of Section 1 and substituting instead the following:

(2) Participating student performance on annual assessments required by this section, aggregated by LEA and statewide;

AND FURTHER AMEND by adding the following as a new, appropriately designated subsection in § 49-6-2606 in the amendatory language of Section 1:

() (1) Data from the Tennessee comprehensive assessment program (TCAP) tests, or successor tests authorized by the state board of education, that are annually administered to participating students in grades three through eleven (3-11) pursuant to subsection (a) must be used to determine student achievement growth, as represented by the Tennessee Value-Added Assessment System (TVAAS), developed pursuant to chapter 1, part 6 of this title, for participating schools.

(2) The department shall, in compliance with all state and federal student privacy laws, make the TVAAS score of each participating school publicly available on the department's website.

THURSDAY, APRIL 25, 2019 -- 31ST LEGISLATIVE DAY

AND FURTHER AMEND by deleting the language "test or" in § 49-6-2611(a)(2)(A)(ii) in the amendatory language of Section 1.

AND FURTHER AMEND by deleting the language "§ 49-6-2602(3)(C)" wherever it appears in § 49-6-2611(a)(2)(A)(iv)-(v) in the amendatory language of Section 1 and substituting instead the language "§ 49-6-2602(3)(C)(i)".

AND FURTHER AMEND by deleting the language "subdivisions (a)(2)(A)(i)-(v)" in § 49-6-2611(a)(2)(C) in the amendatory language of Section 1 and substituting instead the language "subdivisions (a)(2)(A)(i)-(iii)".

On motion, Amendment No. 2 was adopted.

On motion of Senator Dickerson, Amendment No. 3 was withdrawn.

On motion of Senator Dickerson, Amendment No. 4 was withdrawn.

Thereupon, **House Bill No. 939**, as amended, passed its third and final consideration by the following vote:

Ayes	20
Noes	13

Senators voting aye were: Bell, Bowling, Crowe, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Pody, Powers, Reeves, Roberts, Rose, Stevens, Watson, White and Mr. Speaker McNally--20.

Senators voting no were: Akbari, Bailey, Briggs, Dickerson, Gilmore, Kyle, Massey, Niceley, Robinson, Southerland, Swann, Yager and Yarbrow--13.

A motion to reconsider was tabled.

Senate Bill No. 971 -- Election Laws -- As introduced, requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. Amends TCA Title 2.

On motion, Senate Bill No. 971 was made to conform with **House Bill No. 1079**.

On motion, House Bill No. 1079, on same subject, was substituted for Senate Bill No. 971.

On motion of Senator Dickerson, Amendment No. 1 was withdrawn.

On motion of Senator Dickerson, Amendment No. 2 was withdrawn.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 3

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Title 2, Chapter 11, Part 1, is amended by adding the following as a new section:

The general assembly, by joint resolution, may remove a member of the state election commission for cause and may remove a member who becomes unqualified.

On motion, Amendment No. 3 was adopted.

Senator Dickerson moved that Amendment No. 4 be placed at the heel of the Amendments, which motion prevailed.

Senator Yarbrow moved that Amendment No. 5 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved that Amendment No. 6 be placed at the heel of the Amendments, which motion prevailed.

Senator Gilmore moved that Amendment No. 7 be placed behind Amendment No. 9, which motion prevailed.

Senator Gilmore moved that Amendment No. 8 be placed behind Amendment No. 7, which motion prevailed.

Senator Jackson moved to amend as follows:

AMENDMENT NO. 9

AMEND by deleting the introductory language of § 2-2-142(a) in Section 1 and substituting instead the following:

(a) A person or organization who has not been designated by the county election commission under § 2-2-111 and who conducts a supplemental voter registration drive in which the person or organization attempts to collect voter registration applications of one hundred (100) or more people must comply with the following conditions:

AND FURTHER AMEND by deleting § 2-2-142(e) in Section 1 and substituting instead the following:

(e) The coordinator of elections may adopt policies or procedures to effectuate the provisions of this section, including, but not limited to, a form on which the required information may be provided and certified by interested parties. The form adopted by the coordinator of elections may be provided electronically. The coordinator of elections shall, at a minimum, offer the training online and shall not charge a fee for the training.

AND FURTHER AMEND by deleting § 2-2-142(g) in Section 1 and substituting instead the following:

(g) This section does not apply to individuals who are not paid to collect voter registration applications or to organizations that are not paid to collect voter registration applications and that use only unpaid volunteers to collect voter registration applications.

AND FURTHER AMEND by deleting § 2-2-143(b) in Section 2 and substituting instead the following:

(b) For purposes of this section, "incomplete voter registration application" means any application that lacks the applicant's name, residential address, date of birth, declaration of eligibility, or signature. A person or organization who collects an application that only contains a name or initial is not required to file the application with the election commission.

AND FURTHER AMEND by deleting § 2-2-143(e) in Section 2 and substituting instead the following:

(e) This section does not apply to individuals who are not paid to collect voter registration applications or to organizations that are not paid to collect voter registration applications and that use only unpaid volunteers to collect voter registration applications.

AND FURTHER AMEND by deleting Sections 4 and 6 and renumbering the remaining sections accordingly.

On motion, Amendment No. 9 was adopted.

Senator Gilmore moved to amend as follows:

AMENDMENT NO. 7

AMEND by deleting subsection (f) from § 2-2-142 in Section 1 and by redesignating any subsequent subsections according.

AND FURTHER AMEND by deleting subsection (e) from § 2-19-145 in Section 8 and by redesignating any subsequent subsections accordingly.

Senator Jackson moved that Amendment No. 7 go to the table, which motion prevailed.

Senator Gilmore moved to amend as follows:

AMENDMENT NO. 8

AMEND by deleting § 2-2-143(a) in Section 2 and substituting instead the following:

(a) If a person or organization conducts voter registration drives under § 2-2-142 and files more than five hundred (500) deficient voter registration applications with one (1) or more county election commissions, the person or organization is subject to a civil penalty under this section.

AND FURTHER AMEND by deleting § 2-2-143(c)(3) and (4) in Section 2 and substituting instead the following:

(3) The state election commission shall review each voter registration application presented by the county election commission and shall make a finding on the number of deficient forms filed. Based on the finding, the state election commission may impose a civil penalty for a second or subsequent Class 1 offense. The state election commission shall not impose a civil penalty for a first Class 1 offense. The state election commission may combine the number of deficient forms filed by a person or organization in multiple counties when determining the total number of deficient forms filed.

(4) As used in this section, "Class 1 offense" means the filing of more than five hundred (500) deficient voter registration applications. A second or subsequent Class 1 offense is punishable by a civil penalty of up to two thousand dollars (\$2,000) in each county where the violation occurred.

Senator Jackson moved that Amendment No. 8 go to the table, which motion prevailed.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 4

AMEND by adding the following as a new subsection in § 2-2-142 in Section 1:

() This section does not apply to individuals who are not paid to conduct a voter registration drive, organizations that use only unpaid volunteers to conduct the voter registration drive, or individuals who conduct a voter registration drive for their employers at which only employees of the employers participate.

AND FURTHER AMEND by designating subsection (e) as subsection (f) and adding the following as a new subsection (e) in § 2-2-143 in Section 2:

(e) This section does not apply to individuals who are not paid to conduct a voter registration drive, organizations that use only unpaid volunteers to conduct the voter registration drive, or individuals who conduct a voter registration drive for their employers at which only employees of the employers participate.

Senator Jackson moved that Amendment No. 4 go to the table, which motion prevailed.

On motion of Senator Yarbrow, Amendment No. 5 was withdrawn.

On motion of Senator Watson, Amendment No. 6 was withdrawn.

Senator Bell moved for the previous question on **House Bill No. 1079**, as amended, which motion prevailed by the following vote:

Ayes	25
Noes	5
Present, not voting . . .	1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White and Yager--25.

Senators voting no were: Akbari, Dickerson, Gilmore, Kyle and Yarbrow--5.

Senators present and not voting were: Mr. Speaker McNally--1.

Thereupon, **House Bill No. 1079**, as amended, passed its third and final consideration by the following vote:

Ayes 25
Noes 6

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Watson, White, Yager and Mr. Speaker McNally--25.

Senators voting no were: Akbari, Dickerson, Gilmore, Kyle, Robinson and Yarbro--6.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

MOTION

Senator Watson moved that Rule 83(8) be suspended for the purpose of allowing the calendar for the Committee on Finance, Ways and Means for Thursday, April 25, 2019, to be heard on Monday, April 29, 2019, which motion prevailed.

MOTION

Senator Johnson moved that Rule 37 be suspended for the purpose of allowing any bill passing out of the Committee on Finance, Ways and Means Monday, April 29, 2019, to be placed on Calendar No. 2 for Monday, April 29, 2019, which motion prevailed.

MOTION

Senator Johnson moved that Rule 39 be suspended for the purpose of allowing amendments to **Senate Bills Nos. 1516, 1517 and 1518** filed by 3:30 p.m., Monday, April 29, 2019, be considered timely filed, which motion prevailed.

MOTION

Senator Massey moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 597**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 597 by Mr. Speaker McNally.
Memorials, Interns -- Ryan E. Cox.

On motion of Senator Massey, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 597** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Massey moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 598**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 598 by Mr. Speaker McNally.
Memorials, Interns -- Bailey Alexander Whited.

On motion of Senator Massey, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 598** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Yager moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 588**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 588 -- Memorials, Interns -- Kalyn Siebert.

On motion of Senator Yager, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 588** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved the Proposed Schedule for the week of April 29, 2019, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
111th GENERAL ASSEMBLY**

**SCHEDULE
FOR THE WEEK OF APRIL 29, 2019**

MONDAY – APRIL 29, 2019

11:00 a.m.	Finance, Ways & Means Committee
3:00 p.m.	Joint Convention – House Chamber
3:30 p.m.	Session – Senate Chamber

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TUESDAY – APRIL 30, 2019

8:30 a.m.

Session – Senate Chamber

1:00 p.m.

Finance, Ways & Means Committee

WEDNESDAY – MAY 1, 2019

8:30 a.m.

Session – Senate Chamber

1:00 p.m.

Finance, Ways & Means Committee

MOTION

On motion of Senator Akbari, her name was added as sponsor of **Senate Bills Nos. 75 and 170.**

On motion of Senator Stevens, his name was added as sponsor of **Senate Bill No. 482.**

On motion of Senator Rose, his name was added as sponsor of **Senate Bill No. 691.**

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 727; and Senate Joint Resolution No. 525.**

On motion of Senator Gresham, her name was added as prime sponsor of **Senate Bill No. 1347.**

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Joint Resolution No. 531.**

On motion of Senators Jackson, Gardenhire and Yager, their names were added as sponsors of **Senate Joint Resolution No. 538.**

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolution No. 487.**

On motion of Senator Pody, his name was added as sponsor of **House Joint Resolutions Nos. 488, 494, 495, 496, 497, 498, 499, 500, 501, 507, 508 and 509.**

On motion of Senators Watson, Gardenhire, Dickerson, Briggs, Jackson, Kelsey, Reeves, White, Yager, Yarbro, Akbari, Bailey, Bell, Bowling, Crowe, Gilmore, Gresham, Haile, Hensley, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Roberts, Robinson, Rose, Southerland, Stevens, Swann and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 491.**

On motion of Senators Gardenhire and Watson, their names were added as sponsors of **House Joint Resolution No. 492.**

On motion of Senators Haile and Pody, their names were added as sponsors of **House Joint Resolution No. 493.**

THURSDAY, APRIL 25, 2019 -- 31ST LEGISLATIVE DAY

On motion of Senator Powers, his name was added as sponsor of **House Joint Resolution No. 504.**

On motion of Senator Bailey, his name was added as sponsor of **House Joint Resolution No. 505.**

On motion of Senators Bailey and Pody, their names were added as sponsors of **House Joint Resolution No. 510.**

On motion of Senators Akbari, Kelsey, Kyle, Robinson and Rose, their names were added as sponsors of **House Joint Resolution No. 512.**

On motion of Senators Akbari, Kelsey, Kyle, Robinson, Rose and Gilmore, their names were added as sponsors of **House Joint Resolution No. 513.**

On motion of Senator Briggs, his name was added as sponsor of **House Joint Resolutions Nos. 518, 519 and 520.**

ENGROSSED BILLS

April 25, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 530, 531, 532, 588, 597 and 598; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

April 25, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 447, 540, 659, 801, 1237 and 1417; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

April 25, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 145, 166, 181, 192, 498, 499, 500, 501, 502, 503, 504, 506, 507, 508, 509, 510, 511, 512, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 526, 527, 528, 529 and 546; and Senate Resolution No. 54; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

SIGNED

April 25, 2019

The Speaker announced that he had signed the following: Senate Bills Nos. 7, 20, 21, 97, 109, 120, 121, 122, 123, 138, 143, 144, 147, 148, 149, 150, 151, 152, 181, 206, 294, 360, 504, 511, 558, 587, 614, 634, 985, 1257, 1286, 1324, 1325, 1326, 1363 and 1443.

SIGNED

April 25, 2019

The Speaker announced that he had signed the following: House Bills Nos. 74, 339, 657, 658, 743, 817, 944, 1023, 1317, 1347, 1350, 1360, 1367 and 1406.

REPORT OF DEPUTY CHIEF CLERK

April 25, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 535 and 576; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

April 25, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 62, 180, 195, 350, 384, 456, 542, 567, 577, 797, 798, 799, 805, 808, 836, 846, 1185, 1313 and 1493; with his approval.

LANG WISEMAN,
Deputy and Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 25, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 96 and 213, with his approval.

LANG WISEMAN,
Deputy and Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 26, 2019

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 535 and 576, with his approval.

LANG WISEMAN,
Deputy and Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 29, 2019: Senate Joint Resolutions Nos. 533, 534, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 577, 578, 579, 580, 581 and 582; and House Joint Resolutions Nos. 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600 and 601.

This the 25th day of April, 2019
JACKSON, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 29, 2019: Senate Bills Nos. 215, 267, 454, 535, 578, 593, 636 and 1103; and Senate Joint Resolutions Nos. 469 and 525.

This the 25th day of April, 2019
JACKSON, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
LOCAL CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Monday, April 29, 2019: Senate Bills Nos. 1511, 1537, 1539, 1540, 1542, 1543, 1544, 1545, 1547, 1548 and 1549.

This the 25th day of April, 2019
JACKSON, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 29, 2019: Senate Bills Nos. 33, 75, 165, 170, 185, 268, 269, 319, 482, 691, 1058, 1082, 1354, 209 and 501; House Joint Resolution No. 440; and Senate Bill No. 1521.

This the 25th day of April, 2019
JACKSON, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, April 29, 2019: Senate Bill No. 557; and House Bill No. 1233.

This the 25th day of April, 2019
JACKSON, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Tuesday, April 30, 2019: Senate Bills Nos. 16, 63, 173, 205, 250, 265, 302, 308, 326, 403, 425, 442, 453, 474, 487, 513, 544, 559, 562, 565, 569, 571, 649, 684, 727, 804, 806, 862, 886, 976, 1094, 1100, 1143, 1151, 1157, 1161, 1163, 1174, 1175, 1201, 1205, 1219, 1243, 1244, 1248, 1262, 1263, 1268, 1297, 1304, 1335, 1340, 1361, 1377, 1402, 1428, 1455, 1460, 1462, 1484, 1486, 1489, 1499 and 1530; Senate Joint Resolution No. 178; and Senate Resolution No. 22.

This the 25th day of April, 2019
JACKSON, Chairperson

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 3:30 p.m., Monday, April 29, 2019, which motion prevailed.